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UST TALK



A Newsletter for Underground Storage Tank Owners / Operators

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Underground Storage Tank (UST) Program

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Deliveries vs. Overfill Prevention

The sudden and steady increase in the price of oil over last fall has led many of us to be more choosy as to where we buy our petroleum products. Shopping around for the lowest price might mean different types of deliveries and smaller volumes.



Smaller volumes are associated with smaller trucks i.e. peddle trucks. Peddle trucks have a pressurized delivery system with a two inch hose and typically use a stinger attachment for a four inch fill adapter.



Larger volume deliveries are done with tanker trailers or tanker trucks which fill tanks with a passive gravity feed system. When receiving del-

iveries from different sources, UST owners must take into account whether or not their method of overfill prevention is effective for the type of delivery (pressurized with stinger or gravity drop) they are about to receive.

For tank owners with systems that have auto shutoff drop tubes (aka flapper valves), a delivery from a smaller peddle truck (pressurized) would override this method of overfill prevention. The stinger that sticks down into the auto shutoff drop tube impedes the shut off mechanism, which in turn overrides the overfill prevention.

For tank owners with ball float overfill prevention systems, a delivery from a peddle truck would not create the back pressure needed to warn the driver to stop delivery, because the hose fitting (typically 2 inches diameter with stinger) does not clamp over the fill port adapter.

One overfill prevention system that is effective with

peddle truck (pressurized deliveries) and larger gravity drop deliveries is an electronic alarm that is audible and visible to the delivery driver. If you already have an electronic monitoring system with an automatic tank gauge, an electronic alarm box could be wired outside near the fill port.

Another overfill prevention system that is compatible with a peddle truck is a vent whistle, provided the vent is close enough to the fill port and loud enough for the delivery driver to hear it.

Manual measurement to prevent overfill is not allowed by the UST Rules, unless the UST system never receives more than 25 gallons of a regulated substance at one time, and is never more than 90 percent full. In very special cases a written requested variance to this Rule may be granted provided it is demonstrated and assured that an overfill will not take place and a release to the environment will not occur.

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New Federal Requirements for Operator Training



Most tank owners know that the federal Energy Act of 2005 mandated many changes in the way UST Programs around the country operate. The Vermont UST Program has already incorporated most of those required changes into the way we do business. The one remaining item that we have to implement is operator training, and that will have a profound effect on how all tank owners operate their businesses.

Vermont's UST Program is revising its Rules to incorporate operator training, and we expect the rules to be effective this summer. The rules will require that by **August 8, 2012** (a deadline set in federal law) all facilities that have category one tanks must have trained operators. There are three set levels of trained operators, and every facility must have someone designated at each level, although one person can be a designated trained operator at more than one level.

Class A Operators must have a demonstrated understanding of the statutory and regulatory requirements that relate to the permitting of the facility; financial responsibility; spill prevention; overfill protection; release detection; corrosion protection; emergency response; product compatibility; notification requirements; release and suspected release reporting; temporary and permanent closure requirements; reporting and recordkeeping requirements; and operator training requirements.

Class B Operators must demonstrate an understanding of practical and regulatory aspects of the components of an underground storage tank

system and its proper operation, including: spill prevention; overfill protection; release detection; corrosion protection; emergency response; product compatibility; release and suspected release reporting; reporting and recordkeeping requirements.

At first glance, the knowledge and understanding required of both Class A and Class B operators looks very similar, so what's the difference between the two classes? The important distinction is that a Class A operator must have an understanding of the **statutory and regulatory requirements**, while the Class B operator must have a **practical and regulatory** understanding of the requirements. For example, this means that a Class A operator must know that all regulated tanks are required to have an effective method of overfill prevention, but he or she does not have to know the specifics of how these devices work. A Class B operator, on the other hand, must know that a float vent valve is an allowable overfill prevention device in some cases, but it will not work (and therefore is not allowed) if the tank in question is also fitted with a coaxial drop tube. As you can see, the description of Class A and B operators may sound similar, but the level of knowledge and understanding required of each is quite different.

Class C operators must have a demonstrated understanding of appropriate actions to respond to emergencies and alarms; an understanding of facility layout; and an understanding of how to read alarm enunciation panels.

Class A and B Operators may receive their certification by

passing a test approved by the UST Program. We encourage people who plan to become Class A or B operators to take a course, but that is not required. If a person feels he or she already understands UST requirements well enough, they can simply take the exam, and if they pass, they will be certified as a trained operator. Class C operators may be certified by either passing an approved test or by being trained by a Class A or B operator.

As stated earlier, we expect to have the rules in place during the summer of 2009. Tank permittees will have three years – until August 8, 2012 to get trained operators on board. Three years sounds like a long time, but think back to the 1998 deadline: the industry was given 10 years advance warning of the requirement, but many Vermont tank owners (and many more all around the country) waited until the last moment to upgrade their tanks. Don't wait -- be sure to train your tank operators as soon as possible. ■

The rules will require that by **August 8, 2012** (a deadline set in federal law) all facilities that have category one tanks must have trained operators.

We Need Your Input!

The Vermont UST Program will soon begin taking comments on the proposed rules. At the time of publication, public hearings have not yet been scheduled, but watch our web site for news. We want all tank owners and operators to read the proposed rules and to make comments. If you cannot attend a public hearing, you can submit comments to Ted Unkles by mail or e-mail. It is very important that we hear from everyone on these proposed changes to Vermont's UST Rules.



UPDATE!

UST Self-Certification!

This year's "on-time" submittal rate for self-certifications is almost identical to last year. 78 % of tank owners/operators submitted their certification by 12/31/08, compared to 77 % last year. This year the number submitting paper self-certifications was reduced considerably from 178 to 34. As of January 2, 2009, 851 self-certifications had been received, 817 on line and 34 paper copies for 78 % compliance.

All permitted UST facility owners/operators are required to conduct a thorough

inspection of their facilities and note the condition of specific items, and make needed repairs before completing the Self Certification Form. If repairs cannot be made before the filing date, a Return to Compliance Plan must be submitted, which details the problems and includes a schedule for completing the repairs.

Permit holders who have not submitted their self-certification will be issued Notices of Alleged Violation. Permit holders who do not file a self-certification will have their facility targeted for

inspection in 2009 and failure to certify will be added to the list of any violations found.

In May and June of 2009, we will be conducting 100 "verification" inspections to determine the compliance rate for the industry. Last year showed the compliance rate increased 16% over the baseline rate of 68%. We hope the education and understanding of UST systems generated through the self-inspection and certification will continue to result in improved compliance, and fewer releases to the environment.

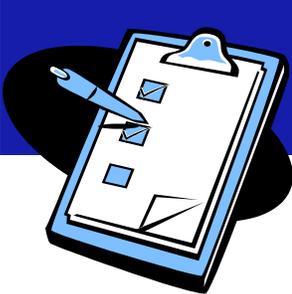


UPDATE!

Vermont Petroleum Cleanup Fund

The Vermont Petroleum Cleanup Fund Advisory Committee has recommended that the fund be extended for another five years. A bill that would do that has been introduced in the Legislature. Without the extension, coverage under the Fund will end on June 30, 2009 and tank owners and operators would have to obtain another financial responsibility mechanism to meet the federal requirement of:

- (i) \$1 million for onsite corrective action,
- (ii) \$1 million for third party bodily injury and property damage.



UST / Air Environmental Checklist will be mailed to tank owners in March

What is it?

It is a reminder of when things are due:

- 1) **Permit** to operate tanks expiration date – to make sure you renew your permit on time.
- 2) **Line Leak detector test.** This test is required annually for pressurized product lines. Tank owners with suction systems need not worry about this test.
- 3) **Line Test.** Single

walled pressurized lines must be hydrostatically tested every year. It makes sense to do this at the same time the line leak detector is tested. Single walled suction lines that are not intrinsically safe must be hydrostatically tested every third year. (Most suction systems in Vermont are intrinsically safe, and this testing requirement does not apply to those systems.)

4) **Cathodic Protection test.** This test is required annually for a tank that has been upgraded with field installed galvanic anodes or an impressed current system. If the tank is being protected by factory in-

stalled galvanic anodes the system must be tested once every three years.

5) **Vapor Recovery Stage II testing.** This only applies to tank systems that store **gasoline** and which are required to have installed Stage II vapor recovery (gasoline throughput greater than 400,000 gallons/year in 1994 or a later year).

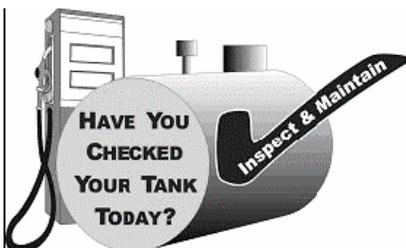
6) **Financial Responsibility.** All petroleum tanks must be covered by a financial responsibility mechanism in the event of a release. The Vermont Petroleum Cleanup Fund is that mechanism for 99% of tank permittees. ■

**Want to know if your facility needs to be inspected this year?
Check out the 2009 Inspection List on the UST program's webpage
<http://www.anr.state.vt.us/dec/wastediv/ust/home.htm>**



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